

ITEM 10
EXECUTIVE DIRECTOR'S REPORT
Workload Update and Tentative Agenda Items for the
March and May 2019 Meetings (info)

I. WORKLOAD¹ (info)

A. COMPLETED WORKLOAD SUMMARY

Type of Caseload	Completed in 2017/2018	Completed in 2018/2019
Test Claims	4	1
Parameters & Guidelines	1	1
Parameters & Guidelines Amendments	0	0
Requests for Reconsideration	0	0
Statewide Cost Estimates	0	0
Request to Review Claiming Instructions	0	0
Mandate Redetermination Requests	0	0
Incorrect Reduction Claims	10	4
Appeal of Executive Director Decisions	0	0

B. COMMISSION WORKLOAD REPORT

Type of Action	Pending on 7/1/2018	Filed Since 7/1/2018	Completed Since 7/1/2018	Pending on 1/1/2019
Test Claims	44 ²	1	1	44 ³
Parameters and Guidelines	2	1 ⁴	1	2 ⁵
Joint Reasonable Reimbursement Methodologies	0	0	0	0

¹ As of January 1, 2019.

² 25 of these claims were filed in June 2018 but were only deemed complete in November and December 2018, after being returned to claimants as incomplete and then being cured by the claimants, so technically were not pending on 7/1/2018 or filed since 7/1/2018.

³ 39 of the 43 pending local agency claims are regarding National Pollutant Discharge Elimination System (NPDES) permits. There is also one school district test claim.

⁴ Proposed parameters and guidelines may be filed by the test claimant or expedited and issued by Commission staff upon the adoption of an approved test claim or upon the expiration of a joint reasonable reimbursement methodology.

⁵ One of these Parameters and Guidelines is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

Type of Action	Pending on 7/1/2018	Filed Since 7/1/2018	Completed Since 7/1/2018	Pending on 1/1/2019
Pending Requests To Jointly Develop Legislatively Determined Mandates	0	0	0	0
Requests for Reconsideration	0	0	0	0
Requests to Review Claiming Instructions	0	0	0	0
Statewide Cost Estimates	3	0 ⁶	0	3 ⁷
Test Claim Reconsiderations or Reinstatements Based on Court Action	0	0	0	0
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Proposed Amendments to Parameters and Guidelines	1	0 ⁸	0	1 ⁹
Requests for Mandate Redetermination	1	0	0	1
Incorrect Reduction Claims	8	1	4	5
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0	0
Appeals of Executive Director's Decisions	0	0	0	0
Regulatory Actions Pending	0	0	0	0
Applications for Findings of Significant Financial Distress	0	0	0	0

⁶ Statewide cost estimates are not filed, but are issued by the Commission after claiming instructions have been issued and initial claims have been received by the State Controller's Office.

⁷ One of these Statewide Cost Estimates is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

⁸ Proposed parameters and guidelines amendments may be filed by an affected local or state agency for any of the reasons specified by section 1183.17 of the Commission's regulations or they may expedited and issued by Commission staff upon the adoption of new test claim decision under the redetermination process.

⁹ This Proposed Amendment to Parameters and Guidelines is on inactive status pending the outcome of litigation.

C. ADMINISTRATIVE WORKLOAD (info)

This section of the Executive Director's Report highlights major issues, challenges, and achievements with regard to the administrative workload of Commission staff.

State Personnel Board Compliance Review

Pursuant to Government Code section 18661, the State Personnel Board's Compliance Review Unit (SPB) conducts compliance reviews of appointing authorities' personnel practices in five areas: examinations, appointments, equal employment opportunity, personal services contracts, and mandated training, to ensure compliance with civil service laws and board regulations. The purpose of these reviews is to ensure state agencies comply with merit related laws, rules, and policies, and to identify and share best practices identified during the reviews. SPB also conducts compliance reviews of appointing authorities' personnel practices to ensure that state departments are appropriately managing the following non-merit-related personnel functions: compensation and pay, leave, and policy and processes. The SPB conducts these reviews on a three-year cycle and it audited the Commission's practices this year which has involved significant management resources of the Commission to provide documents, attend meetings, and to respond to the SPB findings. The Commission has no rank and file staff to perform the human resources functions at issue in this review, all of which are either performed by management or are contracted out to DGS. Nevertheless, the Commission is ultimately held responsible for these function regardless of which agency performs them. Commission management prepared and submitted its written report of compliance to SPB on December 26, 2018.

Work Force Planning

CalHR expects State agencies to understand the workforce implications of current and future business operations and have a plan for ensuring that there is a capable workforce in place to perform the mission and meet business objectives. Thus, CalHR has created a process for agencies to submit workforce plans and provide updates and status reports. To meet the minimum requirements, a workforce plan must identify:

- Alignment with the operational and strategic business goals of the organization;
- Current and future gaps between the workforce you have (supply) and the workforce plan you need (demand);
- Workforce planning challenges and risks;
- Action plan containing specific, measurable, achievable, realistic, and time-based metrics for how the organization will address current and anticipated workforce challenges;
- Process to evaluate the workforce plans effectiveness for accomplishing planned outcomes;
- Current plan covering no more than a five-year span.

CalHR has created a program to assist agencies in creating their plans. Commission staff has recently graduated from CalHR's Fall 2018 program and will soon have a completed Workforce Plan to present to the Commission. The creation of this plan has required the gathering and analysis of a decade's worth of data to show recruitment, retention, and retirement trends; identify strengths, weaknesses, opportunities and threats; and formulate initiatives to address the most critical weaknesses and threats while building on strengths and opportunities. This work has involved substantial analyst and management time, but we hope it will be time well spent to

ensure that the Commission can effectively fill staffing gaps and recruit and retain the best candidates for the future of the agency.

II. TENTATIVE AGENDA ITEMS (info)

The tentative agenda items are subject to change based on, among other things, Commission workload, staffing, litigation, requests for extensions of time to file comments on draft proposed decisions, hearing postponements, informal conferences, and the complexity of the matters.

March or May Meetings

A. TEST CLAIMS

1. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030, 09-TC-03*
County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach, Villa Park, Claimants
2. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11*
County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano, Claimants
3. *Lead Sampling in Schools: Public Water System No. 3710020, 17-TC-03*
City of San Diego, Claimant
4. *Peace Officer Training: Mental Health/Crisis Intervention, 17-TC-06*
Cities of Claremont and South Lake Tahoe, Claimants
5. *Youth Offender Parole Hearings, 17-TC-29*
County of San Diego, Claimant
6. *Public School Restrooms: Feminine Hygiene Products, 18-TC-01*
Desert Sands Unified School District, Claimant

B. STATEWIDE COST ESTIMATE

1. *Cal Grant: Opt-Out Notice and Grade Point Average Submission, 16-TC-02*
Fairfield-Suisun Unified School District, Claimant

C. MANDATE REDETERMINATION

1. *High School Exit Examination (00-TC-06), 17-MR-01,*
First Hearing – Adequate Showing
Department of Finance, Requester